



David J. Philipps
Mary E. Philipps

Bonnie C. Dragotto

January 11, 2008

JUDGE KOCORAS
MAGISTRATE JUDGE COX

VIA FACSIMILE: 630-231-5439

And U.S. Mail

Michael P. Edgerton
Edgerton & Edgerton
125 Wood Street
P. O. Box 218
West Chicago, Illinois 60186

Re: Joanne & John Jacobs (Account No. 20070554)

Dear Mr. Edgerton:

On November 7, 2007, we wrote to you and advised your firm of our representation of Joanne and John Jacobs, regarding your firm's attempts to collect a debt allegedly owed to Hand and Plastic Surgery Associates, Ltd. (Account No. 20070554) in the amount of \$4,654.45. Pursuant to § 1692g(b) of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA"), we also disputed the validity of that debt and demanded validation of same. A copy of our firm's November 7, 2007 letter is attached.

First, to date, we have not received any validation of this debt; rather, on December 31, 2007, your firm filed a small claims lawsuit against our clients, in a matter styled, Hand and Plastic Surgery Associates, Ltd. v. Joanne J. & John Jacobs, No. 2007 SC 10351 in DuPage County. Section 1692(b) of the FDCPA requires a debt collector to cease collection of a debt, which has been timely-disputed in writing, until the debt collector provides verification of the debt, see, 15 U.S.C. § 1692g(b). Thus, continuing to attempt to collect this debt by filing a small claims lawsuit against our clients, without providing verification of the debt, is a violation of § 1692g(b) of the FDCPA.

Second, please be advised that, although your client may have an office in Elmhurst, our clients never visited the Elmhurst office. Our clients, in fact, visited your client's office on College Drive in Palos Heights, in Cook County – the same County in which they reside. Thus, pursuant to 735 ILCS 5/2-101, venue of DuPage County for your small claims lawsuit is improper. Moreover, the FDCPA requires that a debt collector who brings any legal action against a consumer on

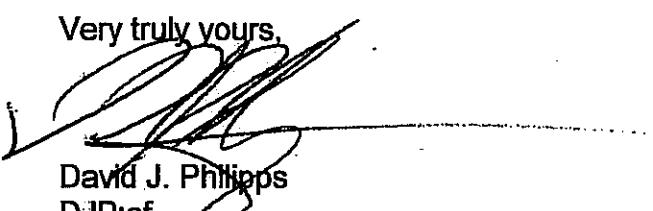


Michael P. Edgerton
January 11, 2008
Page two

a debt, bring that action only in the judicial district in which the consumer signed the contract sued upon, or in which the consumer resides at the commencement of the action. See, 15 U.S.C. § 1692i(a)(2). Our clients reside in Cook County, the contracts, both written and oral, between the parties were entered into in Cook County, and all of the services were rendered in Cook County. Thus, not only is venue improper under Illinois law, filing suit against our clients in DuPage County is a violation of § 1692i(a)(2) of the FDCPA.

Accordingly, we hereby demand that your firm immediately dismiss the lawsuit it improperly filed against our clients in DuPage County, and confirm same to us in writing by January 18, 2008. If not, we will file our appearance in DuPage County and move to dismiss your improper lawsuit, and will thereafter seek to recover all fees and costs relative to same from you.

Very truly yours,



David J. Phillips
DJP:ef
Enclosure



David J. Philipps
Mary E. Philipps

Bonnie C. Dragotto

November 7, 2007

VIA FACSIMILE: 630-231-5439

And U.S. Mail

Michael P. Edgerton
Edgerton & Edgerton
125 Wood Street
P. O. Box 218
West Chicago, Illinois 60186

Re: Joanne & John Jacobs (Account No. 20070554)

Dear Mr. Edgerton:

Please be advised that we represent Joanne and John Jacobs regarding your firm's attempts to collect a debt they allegedly owed to Hand and Plastic Surgery Associates, Ltd. (Account No. 20070554) in the amount of \$4,654.45. A copy of your firm's October 28, 2007 letter is attached. On behalf of our clients, we hereby dispute the validity of that debt and demand validation of same.

This debt is not owed. Specifically, when your client was informed that Mrs. Jacobs intended to seek out the services of a physician who was in her PPO, rather than your client, for treatment of her injured finger, your client agreed to accept whatever Mrs. Jacobs' insurance would pay, if Mrs. Jacobs would continue treatment with your client. In reliance upon this agreement with your client, Mrs. Jacobs continued her treatment with your client. Mrs. Jacobs' insurance provider has paid as much of your client's bills related to Mrs. Jacobs' treatment as it is going to pay. Thus, Mrs. Jacobs owes your client nothing further. Moreover, all future contact relative to this debt must take place solely through this office.

Very truly yours,

David J. Philipps
DJP:ef
Enclosure

125 WOOD STREET • P.O. BOX 218
WEST CHICAGO, ILLINOIS 60186-0218

October 28, 2007 - Received 31 Oct 07

JOANNE J. & JOHN JACOBS
5651 S. SAYRE AVE.
CHICAGO IL 60638

CREDITOR: HAND AND PLASTIC SURGERY ASSOCIATS, LTD
1200 SOUTH YORD RD. #3200
ELMHURST, IL 60126

HAND AND PLASTIC SURGERY ASSOCIATS, LTD / JOANNE J. &
JOHN JACOBS

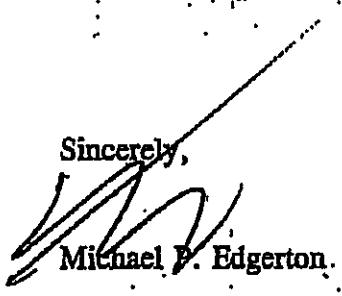
Amount Due: \$4654.45
Our File #: 20070554.00

NOTICE TO: JOANNE J. & JOHN JACOBS

This is to advise you that our office represents the above named creditor. The creditor is attempting to collect a debt, and any information obtained will be used for that purpose.

If this is a consumer debt, unless you, within 30 days after receipt of this letter, dispute the validity of the debt, or any portion thereof, the debt will be assumed to be valid. If you notify this office in writing within the 30-day period that the debt, or any portion thereof, is disputed, this office will obtain verification of the debt or a copy of the judgment against you, and a copy of such verification or judgment will be mailed to you. Upon your written request within the 30-day period, this office will provide you with the name and address of the original creditor, if different from the creditor listed above.

Sincerely,

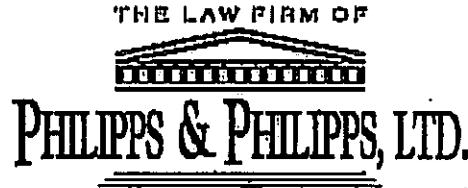

Michael P. Edgerton

Transaction Report

Send

Transaction(s) completed

No.	TX Date/Time	Destination	Duration	P. #	Result	Mode
629	NOV-07 16:24	6302315439	0'00'39"	002	OK	N ECM



David J. Philipps
Mary E. Philipps

Bonnie C. Dragotto

November 7, 2007

VIA FAXSIMILE: 630-231-5439

And U.S. Mail:

Michael P. Edgerton
Edgerton & Edgerton
125 Wabash Street
P. O. Box 2716
West Chicago, Illinois 60186

Re: Joanne & John Jacobs (Account No. 20070554)

Dear Mr. Edgerton:

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Very truly yours,

Transaction Report

Send

Transaction(s) completed

No.	TX Date/Time	Destination	Duration	P. #	Result	Mode
089	JAN-11 16:55	6302315439	0'01'27"	005	OK	N ECM



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